UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,151	03/25/2004	Antony Manoj Justin	200316482-1	7395

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EXAMINER
KOYAMA, KUMIKO C

ART UNIT	PAPER NUMBER
2876	

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/809,151	JUSTIN, ANTONY MANOJ
	Examiner	Art Unit	
	Kumiko C. Koyama	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 February 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Amendment received on February 13, 2006 has been acknowledged.

Claim Objections

1.   Claims 1-18 are objected to because of the following informalities:

Re claims 1, 4 and 13: The phrase "storable" and "executable" renders the claim vague

and indefinite because it is unclear whether the action is actually being performed or not. The

Examiner respectfully suggests "storable" and "executable" to be changed to --are stored--and –

executed-- respectively.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1, 2, 4-7, 9-13, 15-17 and 19-28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Pitroda (US 5,884,271) in view of Lessin et al (US 4,868,376).

Re claims 1 and 4: Pitroda discloses a universal electronic transaction (UET) card, which

includes a microprocessor (col 2, lines 48-51). Pitroda discloses a memory means for storing

information, including personal information for the user, account information for a plurality of

service institution in which the user has an account, and transactional information for each

service institution for which account information exists, into the memory means (col 18, lines

34-40). As shown in Fig. 3, RAM, ROM and non-volatile RAM 34 are all coupled to the

microcontroller (col 11, lines 38-40). Pitroda teaches that the UET stores social security number

(col 2, lines 53-54), drivers license (col 1, lines 34-35) and bank account numbers (col 3, lines

15-20). Fig. 3 shows that Input/Output port management 33 is also coupled to the memory and

processor. Pitroda also teaches an LCD type full display 10, contacts 13, speaker/beeper 16 and

function keys displayed on the LCD (Fig. 1). Fig. 3 also shows that the display 30,

speaker/beeper 37, pins contact 38, and IR/RF option 39 are all coupled to the microcontroller 33

(Fig. 3).

Pitroda fails to teach program instructions storable in the memory and executable by the

processor to selectably modify the variety of user information, including updating, editing and

deleting, based on user input directly to the card.

Lessin discloses a memory in the ITC that includes system data area, application data

area and transaction data area. The application data area contains the program code for each

application (col 7, lines 22-26). Lessin also discloses that the applications are realized through

the application programs stored in the non-volatile memory of the ITC. The application routine

program can be changed, removed or deleted according to the ITC cardholder's needs by the

issuer of the card (col 10, lines 25-30). Lessin teaches that the application programs may only be

input by authorized manufactures o issuers of the ITC (col 3, lines 66-68). Lessin also teaches

that if the cardholder selects the change PIN function, the cardholder is prompted to enter the

current PIN by the display depicted in box (col 13, lines 20-22). The cardholder is prompted for

the new PIN he wishes to enter by displays. After the new PIN is entered, the new PIN entered,

the cardholder is prompted to reenter the new PIN by displays (col 13, lines 29-32). The

cardholder re-enters the new PIN correctly, the current PIN is replaced with the new PIN and the

cardholder is informed of this by the display at box (col 13, lines 45-48).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time

the invention was made to integrate the teachings of Lessin to the teachings of Pitroda in order to

customize the card according to the user such that the card is user specific and therefore, the card

always contains the most recent information as well as providing enhanced security by

personalizing the card.

Re claim 2: As described above, Pitroda discloses a display on the card, a function key, a

transceiver (IR/RF option), a data port (I/O port management), an audio input/output

(speaker/beeper).

Re claim 5: Pitroda's Fig. 1 shows alphanumeric keys and a toggle key to browse menu

items presented on the display (Fig. 1).

Re claim 6: Pitroda discloses a touch-sensitive LCD display (col 4, lines 1-5).

Re claim 7: As described above, Pitroda discloses an IR/RF option.

Re claim 9: Pitroda teaches a club membership account number (col 2, lines 56-57), a

social security number, which is a tax identification number, and medical identification number

(col 3, lines 19-20), which is a medical record. Pitroda also teaches entering a PIN number,

which is a password, that is stored in the card when the user inputs it into the card (col 14, lines

7-18).

Re claim 10: Pitroda teaches an IR/RF option. Pitroda also discloses communication

means for electronically communicating information, including personal information, account

information, and transactional information with service institutions (col 18, lines 40-45). Pitroda

further discloses transmitting and receiving information for a plurality of service institution (col

3, lines 1-10).

Re claims 11 and 12: Pitroda further discloses that a variety of security mechanisms is

built into the UET card to avoid access to confidential information as well as to avoid fraud.

During initialization the user is requested to select a unique authorization code, which may be up

to 10 digits. The user-programmed authorization code is intended to be maintained by the user in

confidence, much like PIN numbers used in connection with ATM cards. Whenever desired,

access to information stored in the card or the ability to use the card can be blocked, unless the

proper authorization code is entered. Once the UET card is initialized with a signature and an

authorization code it is ready for normal use (col 14, lines 5-20).

Re claims 13 and 15: Pitroda discloses a universal electronic transaction (UET) card,

which includes a microprocessor (col 2, lines 48-51). Pitroda discloses a memory means for

storing information, including personal information for the user, account information for a

plurality of service institution in which the user has an account, and transactional information for

each service institution for which account information exists, into the memory means (col 18,

lines 34-40). As shown in Fig. 3, RAM, ROM and non-volatile RAM 34 are all coupled to the

microcontroller (col 11, lines 38-40). Pitroda teaches that the UET stores social security number

(col 2, lines 53-54), drivers license (col 1, lines 34-35) and bank account numbers (col 3, lines

15-20). Fig. 3 shows that Input/Output port management 33 is also coupled to the memory and

processor. Pitroda also teaches an LCD type full display 10, contacts 13, speaker/beeper 16 and

function keys displayed on the LCD (Fig. 1). Fig. 3 also shows that the display 30,

speaker/beeper 37, pins contact 38, and IR/RF option 39 are all coupled to the microcontroller 33

(Fig. 3). Pitroda further discloses that a variety of security mechanisms is built into the UET card

to avoid access to confidential information as well as to avoid fraud. During initialization the

user is requested to select a unique authorization code, which may be up to 10 digits. The user-

programmed authorization code is intended to be maintained by the user in confidence, much

like PIN numbers used in connection with ATM cards. Whenever desired, access to information

stored in the card or the ability to use the card can be blocked, unless the proper authorization

code is entered. Once the UET card is initialized with a signature and an authorization code it is

ready for normal use (col 14, lines 5-20).

Pitroda fails to teach program instructions storable in the memory and executable by the

processor to selectably modify the variety of user information, including updating, editing and

deleting, based on user input directly to the card.

Lessin discloses a memory in the ITC that includes system data area, application data

area and transaction data area. The application data area contains the program code for each

application (col 7, lines 22-26). Lessin also discloses that the applications are realized through

the application programs stored in the non-volatile memory of the ITC. The application routine

program can be changed, removed or deleted according to the ITC cardholder's needs by the

issuer of the card (col 10, lines 25-30). Lessin teaches that the application programs may only be

input by authorized manufactures o issuers of the ITC (col 3, lines 66-68). Lessin also teaches

that if the cardholder selects the change PIN function, the cardholder is prompted to enter the

current PIN by the display depicted in box (col 13, lines 20-22). The cardholder is prompted for

the new PIN he wishes to enter by displays. After the new PIN is entered, the new PIN entered,

the cardholder is prompted to reenter the new PIN by displays (col 13, lines 29-32). The

cardholder re-enters the new PIN correctly, the current PIN is replaced with the new PIN and the

cardholder is informed of this by the display at box (col 13, lines 45-48).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time

the invention was made to integrate the teachings of Lessin to the teachings of Pitroda in order to

customize the card according to the user such that the card is user specific and therefore, the card

always contains the most recent information as well as providing enhanced security by

personalizing the card.

Re claims 16 and 17: Pitroda teaches an IR/RF option. Pitroda also discloses

communication means for electronically communicating information, including personal

information, account information, and transactional information with service institutions (col 18,

lines 40-45). Pitroda further discloses transmitting and receiving information for a plurality of

service institution (col 3, lines 1-10).

Re claims 19, 21-25 and 27: Pitroda discloses a universal electronic transaction (UET)

card, which includes a microprocessor (col 2, lines 48-51). Pitroda discloses a memory means for

storing information, including personal information for the user, account information for a

plurality of service institution in which the user has an account, and transactional information for

each service institution for which account information exists, into the memory means (col 18,

lines 34-40). As shown in Fig. 3, RAM, ROM and non-volatile RAM 34 are all coupled to the

microcontroller (col 11, lines 38-40). Pitroda teaches that the UET stores social security number

(col 2, lines 53-54), drivers license (col 1, lines 34-35) and bank account numbers (col 3, lines

15-20). Fig. 3 shows that Input/Output port management 33 is also coupled to the memory and

processor. Pitroda also teaches an LCD type full display 10, contacts 13, speaker/beeper 16 and

function keys displayed on the LCD (Fig. 1). Fig. 3 also shows that the display 30,

speaker/beeper 37, pins contact 38, and IR/RF option 39 are all coupled to the microcontroller 33

(Fig. 3). Pitroda teaches an IR/RF option. Pitroda also discloses communication means for

electronically communicating information, including personal information, account information,

and transactional information with service institutions (col 18, lines 40-45). Pitroda further

discloses transmitting and receiving information for a plurality of service institution (col 3, lines

1-10). Pitroda further discloses that a variety of security mechanisms is built into the UET card

to avoid access to confidential information as well as to avoid fraud. During initialization the

user is requested to select a unique authorization code, which may be up to 10 digits. The user-

programmed authorization code is intended to be maintained by the user in confidence, much

like PIN numbers used in connection with ATM cards. Whenever desired, access to information

stored in the card or the ability to use the card can be blocked, unless the proper authorization

code is entered. Once the UET card is initialized with a signature and an authorization code it is

ready for normal use (col 14, lines 5-20).

Pitroda fails to teach selectably modifying the variety of user information, including

updating, editing and deleting based on user input directly to the card.

Lessin discloses a memory in the ITC that includes system data area, application data

area and transaction data area. The application data area contains the program code for each

application (col 7, lines 22-26). Lessin also discloses that the applications are realized through

the application programs stored in the non-volatile memory of the ITC. The application routine

program can be changed, removed or deleted according to the ITC cardholder's needs by the

issuer of the card (col 10, lines 25-30). Lessin teaches that the application programs may only be

input by authorized manufactures o issuers of the ITC (col 3, lines 66-68). Lessin also teaches

that if the cardholder selects the change PIN function, the cardholder is prompted to enter the

current PIN by the display depicted in box (col 13, lines 20-22). The cardholder is prompted for

the new PIN he wishes to enter by displays. After the new PIN is entered, the new PIN entered,

the cardholder is prompted to reenter the new PIN by displays (col 13, lines 29-32). The

cardholder re-enters the new PIN correctly, the current PIN is replaced with the new PIN and the

cardholder is informed of this by the display at box (col 13, lines 45-48).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time

the invention was made to integrate the teachings of Lessin to the teachings of Pitroda in order to

customize the card according to the user such that the card is user specific and therefore, the card

always contains the most recent information as well as providing enhanced security by

personalizing the card.

Re claim 20: Pitroda discloses a touch-sensitive LCD display (col 4, lines 1-5).

Re claim 26: Pitroda teaches that the UET sends a PIN number to the service and the

service authorizes a transaction (col 17, lines 1-37). Such service is a lock mechanism for

locking and unlocking a transaction initiated by the UET owner.

Re claim 28: Service institution includes governmental agency, bank transactions etc (col

3, lines 3-12).

4.   Claims 3, 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Pitroda in view of Lessin as applied to claims 1, 4 and 13 above, and further in view of Baratelli

(US 6,325,285). The teachings of Pitroda as modified by Lessin have been discussed above.

Pitroda as modified by Lessin fails to teach a biometric identification mechanism.

Baratelli teaches a smart card having a sensing surface 110, which constitutes part of a

fingerprint reader that is adapted to generated electrical signals representative of the fingerprint

of a finger placed on sensing surface 110 (col 3, lines 55-60).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time

the invention was made to integrate the teachings of Baratelli to the teachings of Pitroda as

modified by Lessin in order to order to confirm that the person using the card is an authorized

user such as the card owner, and to increase the level of security by utilizing unique features of a

person that cannot be dublicated.

5.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda in view of

Lessin as applied to claim 13 above, and further in view of Gangi (US 6,293,462, as cited by the

Applicant) and Hasegawa (US 5,055,662). The teachings of Pitroda as modified by Lessin have

been discussed above.

Pitroda as modified by Lessin fails to teach to teach a card having an optical sensor and a

magnetic strip.

Gangi teaches a wallet consolidator including a bar code scanner 180 for scanning bar

codes (Fig. 3).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time

the invention was made to integrate the teachings of Gangi to the teachings of Pitroda as

modified by Lessin because bar code scanner are used to scan a bar code on a face of

identification, credit, debit, an dother types of cards, and to stored the bar code in memory of the

card in fast manner with reduced error rate.

Pitroda as modified by Lessin and Gangi fails to teach a magnetic strip on the card.

· Hasegawa teaches a card having a magnetic strip 5 (Fig. 2).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time

the invention was made to integrate the teachings of Hasegawa to the teachings of Pitroda as

modified by Lessin and Gangi because many point of sale terminals are accompanied with a

magnetic strip readers, and therefore, by modifying the teaching, the card is capable of

accommodating readily available card readers and thereby, increasing the number of places the

card can be utilized.

Response to Arguments

6.   Applicant's arguments with respect to claims 1-28 have been considered but are moot in

view of the new ground(s) of rejection.

Applicant amends independent claims 1, 4, 13, 19 and 22 with new limitation, such as

"program instructions storable in the memory and executable by the processor to selectably

modify the variety of user information, including updating, editing and deleting, based on user

input directly to the card." Such newly added limitation necessitated new search and

consideration. Therefore, this action is Final.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kumiko C. Koyama whose telephone number is 571-272-2394.

The examiner can normally be reached on Monday-Friday 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kumiko C. Koyama
Kumiko C. Koyama
May 01, 2006

STEVEN S. PAIK
PRIMARY EXAMINER